

March 5, 2012
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From: Mark E. Dentler, President of the Congregational Council
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Re: Advent Lutheran Church Answer to Mr. Deans Initial Appeal Documents.

To the Members of the Synod Council,

This document serves as the official response to the initial appeal documents as submitted by Charlie Dean on January 9, 2012 and January 27, 2012, as well as the document of February 17, 2012 as allowed in to evidence by Evan

Moilan, Vice President of the Synod Council.

First, please be advised that the members of the Congregation Council of Advent Lutheran Church (hereafter referred to as ALC) do not have legal backgrounds. This council consists of everyday lay people who volunteer their time to the work and mission of ALC. Their only agenda is to spread the good news as proclaimed in the Gospels, and to be effective servants to the world outside of ALC and to further the work of ALC. We operate based on our Constitution, last revised in June, 1997 and approved by the ELCA and its representatives. This response will not be filled with legal terms, but everyday language. It will not respond to each item specifically; our evidence as presented will make that point. It should also be made clear from the start that any actual or perceived focus on any specific areas in no way implies that all of the charges are not fully and equally supported as cause for Mr. Deans exclusion from membership at ALC.

Also, it is respectfully requested that it be kept in mind that the issues in this appeal are the charges as presented in the Citation to Appear issued November 29, 2011, and not Mr. Deans challenges to three of the amendments to the ALC Constitution. That is a totally separate matter, and should be treated as such.

As this appeal proceeds, it should also be known that it was never the intent of

the Congregational Council of ALC to have to use the procedures as outlined in our constitution in Chapter 15. The evidence as presented to you on disk on February 14, 2012 shows that from the beginning, every attempt was made to work with Mr. Dean, including forwarding his proposals to the appropriate board and putting him in contact with the leaders of the responsible board. Mr. Dean was invited to attend the Board of Outreach with his proposal. One of the many duties of this board is the maintenance of the ALC website as well as management of material on this site. Mr Dean never attended an Outreach Board meeting. His only contact with that committee was via an email to Rhonda Boehm, then Vice-Chair of the Committee. As evidenced in the emails provided there was an email from myself to Tim Heine and the Executive Committee hoping that there was a way to positively channel his passion and skills into the further work of the Outreach Committee, particularly on the website.

Beginning in early 2011, Mr. Dean , as evidenced, began to become annoyed with the processes that have been put in place at ALC. These were not new processes put in place for this situation. This was the beginning of his rants as to the constitutionality of procedures, over the Church Councils power and authority (especially of the name ALC) and censorship of church documents. Chapter 12 lays out in detail the powers and authority that the Council has.

C12.05.a - The Congregation Council shall be responsible for maintaining and protecting the property of the congregation and for the management of its

business and fiscal affairs. It shall have the powers and be subject to the obligations that pertain to such boards under the laws of the State of Texas, except as otherwise provided herein.

The property of ALC, as is the interpretation of ALC's Council, is that the name Advent Lutheran Church is property of the congregation and is the responsibility of the ALC Church Council to protect it from any use other than the intended use as outlined in the ALC Constitution and By-Laws. It has never been said that a church member, whether in a general conversation or in carrying out of the mission of ALC, verbal or written, could not use the name Advent Lutheran Church. It would be silly to say that and far outreaches any authority given to the Church Council. We are all called to promote the church; how effective would it be if we did not use its name. The primary problem from the beginning of this issue has been Mr Deans refusal to take the recommendations of Mr Heine, who volunteered originally to work with Mr. Dean, and getting him and his ideas to the appropriate board for buy in. Mr Heine did not in any way create new rules or modify the rules to meet the situation. This is clearly presented in our evidence and can be backed up by the membership of ALC. Mr Dean moved forward on his own, creating a website, which used the name ADVENT in its address. Mr Dean had not obtained permission to create the public site using ALC's name. While the site did have some of ALC's documents on it (membership directory, Council Minutes, Constitution, among other things) there was some material that most would find hard to believe that any Church would want on a website bearing its name. Following the creation of this site,

Google searches of ALC would bring you to this site, not the official website of ALC - adventhouston.org. Many hours of hard work have been put into the creation of adventhouston.org as well as keeping public information current and protecting the privacy of the membership of ALC in a members only section. To find another site, which in no way represented the mission of ALC, was very disturbing to many as well as the leadership at ALC.

Mr Dean has continually blasted the Congregational Council for its censorship of Church documents. Mr Dean has never been excluded from viewing any document of ALC. The following is fact:

- Copies of Church Council Meeting minutes since the beginning of ALC are available for viewing by any member who chooses to do so. Unfortunately, they are only in paper form and in file cabinets.
- Current copies of the prior months Church Councils minutes are posted in full view for all to see. These are posted on a bulletin board in the hallway between the Fellowship Hall and the Sanctuary. Additionally, full copies of the prior months financial reports are posted in the same location, along with a calendar for members and groups within the Church to post their activities on. These documents are viewed by our members, in great detail by some. As an officer, I have been asked many times to clarify an item listed in these documents.
- Each month an article called Spotlights is published in our newsletter, The Adventurer. Spotlights gives a general overview of the current

financial position of ALC, and how it relates to our position in the prior year. It also shows worship attendance numbers for the prior month and compares them to the prior year. There is typically a brief article which summarizes the reports, be it good or bad, usually written by the current treasurer or a member of the finance cabinet.

- Each month, motions made and approved in Church Council Meetings are posted in The Adventure.
- Each month The Adventurer, along with the publications of the prior 2 months, is posted on our website adventhouston.org under the tab NEWS. It is in a public area of the site. The same document published on paper for our members who do not use the Internet is published on our website. That includes Council actions and The Spotlight. It is all there for anyone who visits our site to view.

The documents of ALC, with the exception of closed session documents (which is more the exception than the rule) are available for all to see. They are not out there on a public archive site, and knowing the membership of ALC I doubt that they will be for some time to come (opinion of the writer). It should also be noted that while all financial reports are generated from the Church Office on Church Computers, the minutes of Church Council Meetings are NOT created on these computers.

Mr. Dean also contests the Constitutional basis for any of the actions that is taken by the ALC Council. In reading his appeal documents, it would seem to

the average lay person that the only right we have as a council is to exist. Otherwise, we are wrong in any other action we take. Constitutions are constantly challenged. Look , for example, at the Constitution of The United States. How many differing opinions are there on what an article means or what the intent of the writers were. There are even varying opinions among the judges of the Supreme Court, the highest court of the land. With that said, it is evident that there are different views of what the constitution of ALC says and the rights it gives the Congregational Council and the membership of ALC. That is obviously why this appeal process exists, and is respected by ALC.

As previously stated, it was never the desire of the leadership of ALC to invoke the Chapter 15 process against Mr. Dean. This was a first in the history of ALC, a first in over 30 years of ordained ministry for our pastor. We did not have a bucket list, so to speak, of things we wanted to do before our 50th Anniversary in October of this year. It was difficult for the person who made the motion to exclude Mr Dean from membership. She was in tears following the hearing for having to make such a motion, but did so out of her love for ALC. ALC for the most part is a very conservative congregation, as were most that were a part of the old Southern District of The American Lutheran Church. We are fortunate that we still have many of our charter members still alive and as active as they are able to this day. We are blessed to have charter members serving on the Council at this time. Their counsel to me is invaluable, and is always taken respectfully whether asked for or offered as a suggestion. It is the mix of the old

and the new that makes ALC what is today.

Much time and energy has been put into this matter, by ALC over the past year or more and now more recently the Synod Council. Quite frankly, it is time that could have been better used furthering the work and the mission of the Lutheran Church. It is the prayer of ALC that the Synod Council will be nothing but fair as they rule on this matter. Our prayers will especially be with you on April 21, 2012 as you deliberate on this matter. It will be a difficult decision to make, as it was for us, and we do not envy you. Our prayers are also sincerely with Mr.. Dean, as they always have been and continue to be, and it is our hope that he finds what it is he looking for in his spiritual walk in this earthly life.

This concludes our response.

Respectfully Submitted,

Mark E. Dentler

Congregational Council President, Advent Lutheran Church

